

**IN THE UNITED STATES PATENT OFFICE**

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**AUG 10 2004**

Application Serial No. 10/020,882

Our Ref.: PT-1949001

**CUSTOMER NO. 23607**

Applicant: Dialysis Solutions Inc.

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**OFFICIAL**

Title: STERILE LOW BICARBONATE DIALYSIS CONCENTRATE  
SOLUTIONS

Inventor: Sheldon Tobe

Examiner: Leslie R. Deak

Group Art Unit: 3762

Due Date: August 13, 2004

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**RESPONSE TO  
EXAMINER'S REPORT DATED JULY 13, 2004**

August 10, 2004

**VIA FACSIMILE (703-872-9306)**

The Commissioner of Patents  
UNITED STATES PATENT OFFICE  
220 20<sup>th</sup> Street S.  
Crystal Plaza 2, Lobby, Room 1B03  
Arlington, Virginia 22202

Dear Sir:

In response to the outstanding Official Action dated July 13, 2004, a copy of which is attached, and due for response August 13, 2004 Applicant wishes to make the following submission.

- 2 -

Pursuant to the Examiner's restriction requirement under 35 U.S.C. 121 Applicant hereby elects with traverse to prosecute invention "T" as identified in the Examiner's report, namely, claims 1, 9, 10, 14 and 17, drawn to a sterile dialysis concentrate composition, classified in class 424, subclass 686. However, Applicant respectfully repeats his arguments with respect to any alleged election request on the grounds of the traverse submitted in his response of April 8, 2004 which are hereby incorporated in its entirety by reference. It makes little sense to group dependent claims apart from their corresponding independent claims.

If the Examiner has any questions, she is respectfully requested to contact Applicants' Agent, Neil H. Hughes at (905) 771-6414 at her convenience.

Respectfully submitted,



Neil H. Hughes, P.Eng.  
Registration No. 33,636  
Agent for Applicant

NHH/lvp